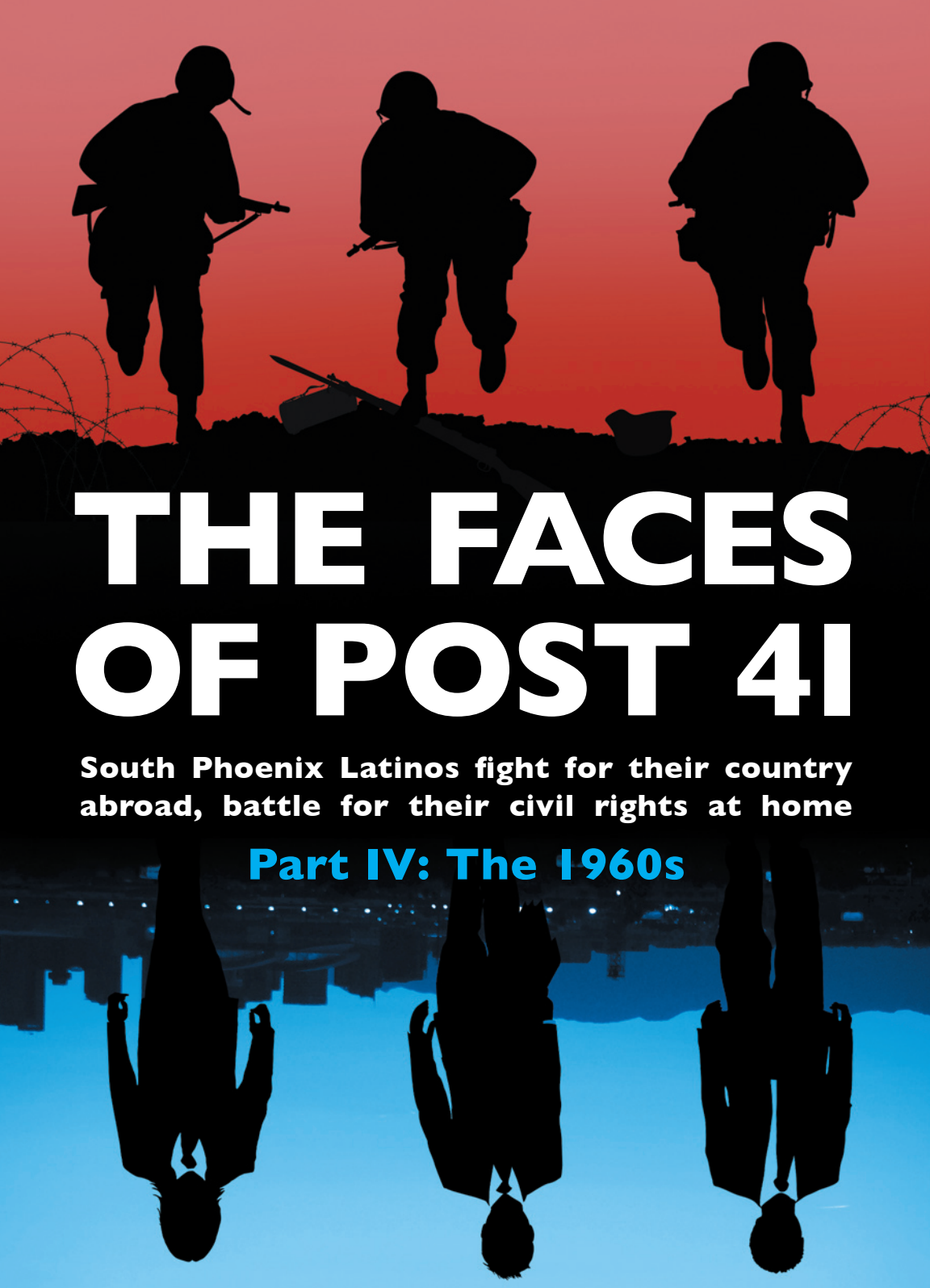


THE FACES OF POST 41

South Phoenix Latinos fight for their country abroad, battle for their civil rights at home

Part IV: The 1960s

By Charles H. Sanderson

The Faces of Post 41: The 1960s

Social change

When the 1950s drew to a close, nobody could have expected the coming changes that would profoundly define the second half of the century. In 1956, Phoenix, Tempe and Scottsdale began expanding and annexing land to increase tax revenue and population, before communities could form identities and incorporate into towns of their own. In 1959, South Phoenix was annexed into the city proper, and many barrios slowly began receiving some of the amenities other communities to the north had enjoyed for so long.

In 1959, the first hints of dissent in Southeast Asia whispered what would become the Vietnam War

With the election of President John F. Kennedy came an escalation of violence. The Viet Cong overran a small forward base during an intense volley of gunfire. Army Sgt. 1st Class Isaac Camacho was taken as the war's first Hispanic prisoner of war. Before completing a second year in captivity, he slipped away to freedom. The Silver and Bronze stars were pinned on his coat in September 1965.[1]

Then on Aug. 2, 1964, the USS Maddox fired on three North Vietnamese torpedo boats in the Gulf of Tonkin. Three days later a Mexican American pilot was taken as the first aviation prisoner, Everett Alvarez Jr. of Salinas, Calif. He would remain captive longer than any other American soldier in the war – eight and a half years. Two years after he was freed, Alvarez Jr. remained in Vietnam. On April 30, 1975, as Saigon fell and American action in the area was abandoned, Alvarez Jr. climbed into the last U.S. helicopter lifting up from the roof of the U.S. Embassy.[2]

In 1965, future Post 41 member Rudy Lopez was in his sophomore year at Phoenix College. Like Henry Daley Jr., Lopez had been struggling with school and strayed into the streets with his older brother. That year would see the first anti-war demonstrations as the draft began pulling men into the U.S. armed forces. Approximately 80,000 Hispanic soldiers would serve during the Vietnam conflict. The year 1965 would culminate with the tragedy of 31-year-old Norman Morrison who immolated himself on the steps of the Pentagon, below Secretary of Defense Robert McNamara's office.

On Jan. 10, 1966, Lopez decided to follow in his family's patriotic footsteps and enlist in the Army. His early days would continue to parallel Henry Daley's experiences and his desire to be on the front lines of Korea 15 years earlier.

"I kinda had to force the Army to send me to combat," Lopez says. "But,

by virtue of ... well, I could type 62 words a minute, manual typewriter, with no errors. Then I guess I had a decent head on my shoulders." He went to military school and graduated a personnel specialist. His hopes of active duty in Vietnam seemed to be a sure bet when he was sent to jump school with the 101st Airborne Division at Fort Campbell in Tennessee.

But he was injured as he landed in his first parachute jump and assigned to battalion headquarters as a clerk. It was not what he wanted. He put in a 1049 transfer numerous times before finally contacting Washington to see why he had not heard any response.

Finally, he found that the forms were still sitting in an office at brigade headquarters. He visited the sergeant major, asking to go overseas and fight. It turned out the sergeant major liked Lopez and had grown a bit protective.

"I don't want you to go to 'Nam, because you're the type of guy that's gonna go there and get killed."

But Rudy Lopez would not be deterred. Soon, he found himself back listening to his unhappy superior tell him the news that his persistence had paid off. "Well you done it. I can't stop you now. You're going to Vietnam." Then his superior raised Lopez's pay-grade, explaining, "But the least I can do is make you an E4 – so at least you get killed with a little more money."[3]

Lopez was determined to serve his country, but others were beginning to struggle with the war. Some were outspoken against it. The post itself felt some division, as did the rest of the nation over the validity of the U.S. presence in Vietnam. Younger members such as Alfredo Gutierrez, remember the tenseness in the Ronda Room during the Vietnam era."We were welcome as long as we kept our mouth shut. If any discussion came up about the war, it was very uncomfortable. We were young.... We liked yelling matches."

Post 41 member Mike Gomez had survived World War II but found the idea of sending his children into battle difficult to stomach. "I had a bitter taste in my mouth when I learned both my sons were drafted for Vietnam. A bitter taste."[4]

It seemed an ongoing curse for his family to be drafted. Gomez did not want to lose his children in this war. Memories flooded back in from dark shadows of the past. He had to stop this.

Sen. Goldwater heard his requests, and made arrangements to send one of his sons home. But it felt too much like choosing one son over the other – Mr. and Mrs. Gomez couldn't make that choice. Both sons remained in Vietnam, thankfully returning home safely from their tours of duty.[4]

The tradition of service

Mike Gomez was one of several Post 41 members who had survived World War II and painfully watched as their sons and daughters marched off to this new war. Many saw their children return, struggling with the experiences of Vietnam. One was World War II veteran Jose Jesus "Chuy" Urias of the Golden Gate barrio. Volunteering to clear the ravaged beaches of Normandy or sweep for mines, Urias saw the blood that war sheds in detail.

He was awarded a Silver Medal for taking over a German castle. "I was like a Christmas tree with grenades all over me," Urias recalled in a later interview. "I would say 'cover me' and then I would run."

The Post 41 member had narrowly escaped death in Germany, wounded on the battlefield. But his son, David S. Urias, would not. The Vietnam war took him in April of 1968 at the age of 21.[6]

Others would return from battle with the memories weighing on them both physically and spiritually. Manuel Lugo and Rudy Lopez would both see deep action in small patrol units during the Vietnam War.

Manny Lugo's father, Post 41 member Charles Lugo, was a Marine in World War II, making it through three landings across the Pacific Theater before his fourth landing when shrapnel struck his chest and a bullet caught his leg on the beachhead at Saipan. His father never shared the experiences other than his days flirting with the nurses while he recuperated from his wounds in a Navy hospital.[7]

"That's far as he went. Never talked about the wound, never talked about any of his friends getting hurt. It was all positive stuff. I'm sure going through four landings and when he got hurt. I mean, he must've seen some things that he didn't want to talk about."

Manny also remains vague on his own experiences. He never expected he would go to Vietnam. Three draft notices had come for him, and each time he was turned away. On the fourth notice, he was drafted in 1969.

Lugo shipped off to boot camp in San Diego for 12 weeks.

With a laugh, he recalls, "That was the worst thing that ever happened to me." Then Lugo makes amends with the joke, "Not really. It was the learning experience. But, it was a shock, you know, where they take everything away from you and give you everything you need."

He easily shares the moments of his arrival and his departure.

After additional training at Camp Pendleton, Lugo and his companions were flown to the front lines. "Commercial airline. With stewardesses. It was just like a regular flight. We left California and went to Hawaii. From there we went to Okinawa. Everybody was happier than hell and having a good time."

Two days later, the men boarded the plane again, on a somber flight to Da Nang, Vietnam. "... A very different trip. Nobody was laughing. Real quiet because we knew where we were going. Even the stewardess. The stewardesses were real quiet. They wouldn't talk as much. It was a whole different deal when we got to Vietnam.[8]

"The nice thing was ... when we landed. When we got to Vietnam the stewardesses gave us a kiss. And they said, 'We'll see you in a year.'"

Lugo spent most of the war 25 miles north of Da Nang for 15 to 30 days at a time. He would stalk the countryside with his small platoon, on patrol for Viet Cong and planning ambushes. "Every three days you'd move to a different position. And it was like a big circle around the base. And sometimes you'd go up into the foothills, up into the mountains. But most of the time our place was up in the rice patties. We were never in the same

PHOTO COURTESY OF AMERICAN LEGION POST 41

Jose Urias

place for more than three days."

Rudy Lopez shares a vivid moment between his arrival in Vietnam and his return home. Having joined a new group called the Long Range Reconnaissance Patrol (LRRP), he spent much of his time quietly searching the countryside, trained as a medic.

On May 19, 1967, Lopez was one of six men clearing a path down a mine-infested hill. In the delicate effort, their lead engineer slipped up. The explosion tore through the men. Having survived the blast, Lopez attempted to radio back to base.

" ... The handset was blown off my radio. So I couldn't ... as soon as something happens, a firefight or whatever, communication is essential. You need to call somebody and say you've made contact with the enemy, or they know we're here, or something. Tell somebody.

"But with my handset being blown off, I couldn't call anybody. So my next job was a medic. My medic's bag was blown all over the place, so I was trying to pick up bandages or whatever I could find. I crawled over to Ryan, he was the first guy I got to.

"He was a bloody mess from head to toe. His leg was hamburger from just about his hip on down to his knee. I slipped a lot of bandages on him.

"And then, for the leg. All I could do was put a tourniquet. I remembered looking at my watch. It was 11:21. To loosen the tourniquet, I think, every half hour or hour to allow blood to flow back in so you don't get gangrene."

Lopez could feel he was hurt. But he dared not look down. He could only remember his training as a medic. Spotting another survivor, he grabbed the man just as he was going into shock, patching him up the best he could. Then he turned to the lead engineer.

"And I didn't get to him. I was about maybe five feet away when he was face down and he was calling for his mother. And he was crawling. And I noticed the upper torso was moving. And the lower torso. The guy was blown in half."

Lopez had yet to look at his own wounds. Losing blood, he began to pass out. But all he could remember was the words of the medic that had trained him. "Take care of your patients first. Then you."

Finally looking down, Rudy saw his stomach had been torn up and bad wounds to his leg. Falling to the ground, he crawled toward another soldier, Jimmy, to bandage his wounds.

"And Jimmy started firing. We weren't hit, but Jimmy was firing because he was afraid we were gonna get hit. So I crawled and got a weapon. And we were just firing in all directions makin' sure that if there was an enemy out there they knew that we were still alive and kicking, and they ain't gonna take us walkin' in."

After finding a working radio, the three survivors learned they were stranded. All choppers had been engaged into another firefight. Then, a stroke of luck.

PHOTO COURTESY OF RUDY LOPEZ

Rudy Lopez in the bush with fellow soldiers.

"The chaplain just happened to be flying by in his chopper. And I knew the chaplain because I went to see him every chance that I had. I'd mentioned to the chaplain that I wanted to be a C.A. That was our joke – a chaplain's assistant. And he said, 'Son, no offense, you'd never be happy here. You love it out in the woods.' Yeah but I wanna be a C.A., chaplain!

"So when his chopper landed, I saw him get out the chopper. I looked at him, 'See? I told you I wanted to be a C.A."

The two men laughed. Last rites were given to the fallen soldiers and the three survivors were loaded into the helicopter and flown to safety.[10]

PHOTO COURTESY OF MANNY LUGO

Manny Lugo takes a break with fellow soldiers.

Humble in the memory

For their contributions during the Vietnam War, 242 men would receive the Medal of Honor, including 13 Latinos. One of them was Capt. Jay R. Vargas of Winslow. Vargas would bring his Company G of the Fourth Marines through a harrowing night in a village, using fresh graves as trenches, as well as leading his men through a barrage of crossfire and taking out enemy bunkers despite severe injuries.

In a 2008 interview about his own Vietnam experiences, Manny Lugo humbly remembers the day he was given his medal more vivid than the day he earned it. "They gave me a medal. They gave it to me after I got out of the service. They gave it to me right here on 20th Street and Camelback. At Town and Country (Mall).

"They read the reason they ... gave me the medal. But it was like, I did something special that particular day, but I don't remember. You do things that you don't think that you're ..."

Lugo pauses.

" ... It's nothing special. You just do it 'cause you have to do it. And you just react to it. But to be saying that you deserve a medal for that, I don't think that was it ... a lot of guys ... like ... this guy right here."

Lugo points to a framed photo of Silvestre Herrera that hangs on the east wall of Post 41. "Maybe he deserved it, 'cause I've heard his story and it was a special deal ... to me it wasn't really something that you were doing special. You were just doing something because you had to do it."

Rudy Lopez echoes his sentiment. He was awarded the Bronze Star for his bravery the day the chaplain's helicopter pulled him to safety. Lopez "refused the Bronze Star for a long time. Because I kept tellin' ... Jimmy and Ronnie ... I kept tellin' them I was just doing my job. Ronnie would say, 'You saved our lives ...' No, I was just doing my job. That's what I'm supposed to do."

Years later, on the fourth attempt, Rudy's daughter convinced him to

PHOTO COURTESY OF MANNY LUGO

Manny Lugo, Vietnam 1969

relent. "Dad! Just get the damn thing. If you don't want it, give it to us. Give it to your grandkids. They want to know what grandpa did."

Rudy found some sense in the words and accepted the medal.

The long road home

When Manny Lugo returned home from 18 months in the rice paddies of Vietnam, he was unable to view life as it was before.

"The guys that I was hanging out with, my brothers and my friends here ... they were still doing the same things that we were doing when we left. And I couldn't get back into that group any more. I wasn't part of that. They were just too different from me. Even my brothers. I couldn't hang out with 'em. I stayed by myself."

Haunted by his experiences in Vietnam, Lugo kept to himself, found employment as a sheet metal worker and raised his family.[10]

Rudy Lopez fought back episodes from his Vietnam days as well. At night, he would fall into the bad dreams, sweating, groaning, agitated. His wife found it dangerous to wake her husband from these nightmares. "The first five years that I was home, it was pretty rough. ... I feel real bad for my first wife because the nightmares were real bad .... My first wife suffered a lot because of my dreams and nightmares."

In the 1970s, Post 41's membership began to shift. The new veterans were looking for a place where they could be with those who understood their experiences.

Manny Lugo had known of the post since childhood. His father among the founding members. After his parents divorced, he would come to the post when he wanted to see his dad. "So I started coming over here. And then I started coming to the dances here. And there was ... it was someplace I could feel comfortable.

"I started seeing some of the guys from the neighborhood. When I went to school, there were members here. And I started getting closer and closer to the post."

Activism comes to town

As Vietnam was splitting the country apart in ideologies, Post 41 continued to stay involved in the barrios. In 1963 it sponsored Boy Scout Troop 119, and offered one of its meeting rooms. Each day, two Boy Scouts would pull down the American flag that flew high above Post 41. They took part in the folding of the flag, and reported to the bartender inside and received an

ice cream soda before heading home.

In 1965, the post and its auxiliary also donated more than $5,000 to help nearly 3,000 children in need of welfare. During the summer, the post covered fees for more than 500 children who couldn't afford to swim at Grant Park – repaid by picking up trash around the park to show civic pride. When a report showed less than eight percent of kids in the barrios were able to see a movie, the post spent money to show films at various parks in the community.[12]

That same year, sponsoring a few Little League teams wasn't enough. Post 41 sponsored the entire league and bought the trophies. And at the end of the year, the members and the auxiliary went all out. Christmas had become an especially lively time for the children. More than 500 kids attended the post's Christmas party in 1965, and more than 200 Christmas baskets were given to families in need.

With Post 41 providing basic needs for the surrounding community, some of its members marched into a new stage of activism and success. Valdemar Córdova and Adam Diaz's tenure on the city council had opened doors, but some of the most effective politicians of Post 41 had yet to make their marks.

New Latino activists were sprouting up across the Southwestern U.S. César Chávez and Dolores Huerta co-founded the Agricultural Workers Foundation in 1962. Reies López Tijerina fought to restore land grants in New Mexico. In Denver, Rodolfo "Corky" Gonzales founded his Crusade for Justice and inspired other organizations such as MEChA.

In 1968, as the volatile decade marched toward its climax, Phoenix seemed untouched by the civil unrest that shook the nation. Then Alfredo Gutierrez and several Vietnam veterans returned to Phoenix wanting to speak out against the war and civil injustice. Their Mexican American Student Organization (MASO) began stirring up student protests at Arizona State University. Like many, Gutierrez started humble.

Born in 1945, Alfredo Gutierrez was a miner's son from Miami. The sharp intelligence that would later define him was not as apparent in his youth. Or during his prep years at Miami High School. He holed up in the school library, nosing through philosophy books and the like. When high school was over, he made his escape from the small mining town. In 1962, he joined the Army.

Stationed in Korea, he realized he was at least as sharp as the other soldiers. "The unit to which I was eventually assigned was a mental-health unit, so I was surrounded by people with degrees – doctors, psychologists, social workers. No one in my family had ever gotten a college degree, and until then, I had always assumed that only very brilliant people went to college. The Army taught me that's bull—."[13]

He returned to the U.S. in 1966, thinking he'd settle back into normal life. He married his high school sweetheart, Kathy Castro, and planned to become a copper miners like his father. Then the miners went on strike.

With no work in the small mining town, Tempe seemed as good a place as any for Alfredo's restless spirit. Rather than use his G.I. Bill, he landed a job with the groundskeepers at ASU and worked summers in the mines

back home after the strikes were settled.[14]

Before long, he was taking classes and hoping to study political philosophy further than a high school library could take him. But with a sense of organizing and activism, thanks to his father's membership in the mining union, Gutierrez could not ignore the struggles in the Latino community around him. One problem caught his attention. "The laundry that serviced ASU was a major employer of Hispanics in South Phoenix and stories of how people were mistreated there were legendary in the barrio," Gutierrez recalls in a 1991 *New Times* interview.

Soon after, MASO was founded by ASU students and recently returned veterans – some who were already Post 41 members. It took on the laundry firm that worked for ASU. MASO soon was joined by another organization, the Young Socialist Alliance (YSA) formed of extremist Anglos.[15]

In 1968, he became a member of Post 41. In November of that year, there were walkouts. The administration building was overrun and Gutierrez served as a spokesman for the group. Gutierrez was labeled a neo-Trotskyite in an *Arizona Republic* editorial by one of Post 41's older members, Eugene A. Marín.

The results were mixed. Though progress was made, administrators created a disciplinary system to break up future student disruptions. Gutierrez found himself standing before the administrators so often that he was unable to complete classes and quit college. He continued his education through grants from the Ford Foundation and the RFK Memorial Fellowship.[16]

The laundry protests seemed to be the match that set the growing rights movement afire in Phoenix. Soon, Post 41 was lost in a melee of new activism. The call for Chicano power by the Brown Beret movement in Los Angeles was reaching the streets of Phoenix. César Chávez was making the cover of TIME magazine for his march across Southern California to the Mexico border, protesting the use of illegal immigrants to break labor strikes. A local boycott of Phoenix Union High School in September 1970 dominated headlines in Maricopa County for a month. The unrest of the Hispanic community was made well aware to all.

Post 41 had fought for its achievements with the help of local businessmen. Now, however, there were new organizations emerging with out-of-state resources flooding in, such as United Way, to help fight the social issues that were thorns in everyone's side.[17]

The G.I. Forum. LEAP. LULAC. Chicanos Por La Causa. Valle Del Sol Institute. Barrio Youth Project. The Equal Employment Opportunity Program. The Civil Education Project. They all found a niche on which social agenda would focus.

Lito Peña's rise

Before Lito Peña earned his reputation in 1951 for joining the fight against Tolleson's school segregation, he had struggled to find a dream like so many in the barrios.

Lito Peña spent most of his childhood on the west side of town. He was born Nov. 17, 1924, on a cattle ranch in Cashion. He lived there until he was 7 when he and his family moved to Tolleson. He attended Tolleson Elementary School. It was a small school, with Hispanic children on one side and white children on the other. It was like two hemispheres of society. As his eighth grade year was winding down, a teacher (who was also principal) asked the white side of his class to step outside. Once they were gone, he began to explain his version of life to the Hispanic children.

Lito remembers the day the instructor spoke to them. "He said that we were the sons and daughters of farmworkers and that we were destined to be farmworkers, too. He said that there was no need for us to go to high school because we didn't need any more education in the fields."[18] Those words would trouble Lito for several years.

He graduated May 16, 1940, two years before Dyer stepped up from teaching to take the principal's position and separate the children entirely, inflaming the segregation issue that Lito would eventually help eliminate. Peña went on to high school, despite the teacher's words, but dropped out his junior year.

He worked in the fields, picking cotton, lettuce and melons. He then took a job delivering newspapers. In 1944 he moved to El Monte, Calif., to work for a dairy. He returned to Phoenix the same year and took jobs at Reynolds metals and at Luke Field as an apprentice sheet metal mechanic. Lito was gone for a year, drafted into the Army on Aug. 24, 1945, and sent to Seoul, South Korea with the 31st Infantry just as World War II was ending. He was discharged Sept 7, 1946.

Returning home, Lito found he had a new appreciation for his life. He also knew that there weren't any jobs for an 81mm mortar gunner. Manuel began to worry that his grade school principal's unsupportive prediction might come true.

After several jobs, he found stable income as a meat cutter in his father's store. On his off hours and away from his family, he became involved in politics. His community activism began in 1948 when he was a member of CSO, helping to organize voter registration drives. He would also earn his G.E.D. in 1948.[19]

Then Manuel "Lito" G. Peña began to reach for something more.

During the early 1950s, Lito joined with the Community Service Organization. The CSO was born in 1948 out of a desire to increase the number of voters. In 1956, he was appointed the Phoenix representative for the Industrial Areas Foundation of Chicago. During this time, Lito formed some of the foundation blocks of his lifelong fight for employment benefits and unions. These views were further strengthened by a friendship with César Chávez, and that on occasion would put him in direct conflict with Barry Goldwater.

Lito decided it was time to enter politics. Defeat was persistent at first. He lost a race for the House of Representatives in 1960. He failed again in 1962. Then he was asked to try for the Phoenix City Council in 1963. He lost. Three years later, Lito finally won a House seat - by 30 votes. It was 1966.

By the mid 1960s, after founding an American Legion post in Tolleson, he had returned to Post 41. In 1972, when he was elected to the Arizona

Senate, he would prove invaluable to Post 41. Tony Valenzuela's eyes light up in an interview when asked about Manuel Peña. A Post 41 member and former national vice-commander, Valenzuela credits Lito for many of Post 41's achievements in recent years. "There's a fine gentleman. Fine, fine gentleman. He helped us a lot. Whenever we wanted something. ..."

Lito would again be a force when Post 41 pushed for a veterans' cemetery with the help of Burton Barr. Tony Valenzuela continues, "We went to state legislature, and we had Lito Peña, Alfredo (Gutierrez) was in there, and guys from other places. And they voted it. We provided money for it."

In 1976, Gov. Raúl Castro would sign a bill into effect providing the funds needed for the state's new veteran's cemetery.

In 1986, Manuel "Lito" Peña would reach national prominence, testifying about a new judge that was to be appointed: William Rehnquist.

Peña vs Rehnquist

On Oct. 28, 1964, a letter arrived for Arizona Gov. Jack Campbell at his office in Phoenix. It was sent by Democratic National Chairman John M. Bailey. The letter warned the governor against organized programs of "voter harassment and intimidation" by Republicans.

He was referring to "Operation Eagle Eye."

In 1962, at Eagle Eye's inception, a young Republican attorney named William H. Rehnquist was the program's point man in Phoenix. Rehnquist and fellow attorneys went to voting stations throughout South Phoenix, questioning minority voters on their rights to vote by asking them to read the Constitution of the United States in English and prove they understood what they had read. Though the Civil Rights Act of 1964 had been implemented four months earlier, it would be another year before the Voting Rights Act gave protection against such illiteracy tests.

In October and November 1964, "Eagle Eye" made national news as the presidential campaign between Barry Goldwater and Lyndon B. Johnson heated up.

With Election Day approaching, national director of the "Eagle Eye" program, Charles R. Barr, announced from Chicago that 100,000 poll watchers in 25 cities would take part, and that 1.25 million voters would be either successfully challenged or discouraged from going to the polls. Barr then dismissed Democratic fears of a "fright campaign."

"No challenges will be made to anybody who is legally entitled to vote. We will challenge anybody suspected of being legally unqualified."[20]

Manuel "Lito" Peña's experience was much different.

He had been assigned a car with a telephone and told to drive to various voting locations in South Phoenix to watch lines and watch for problems. He encountered several lines of voters, most notably in the Bethune voting district of South Phoenix. In several locations he had encounters with men pulling voters aside to demand they recite the Constitution and prove they understood

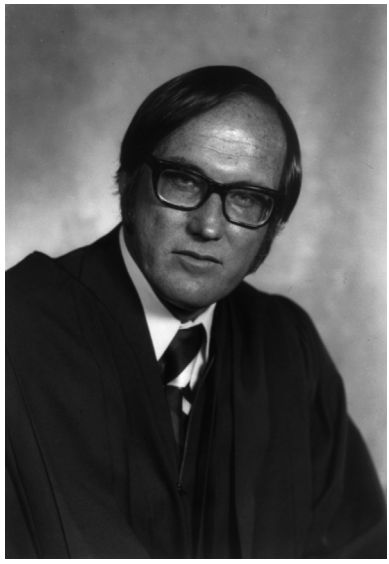
it. At one voting location the exchange grew heated between Lito and one of the men, leaving Lito with a strong memory of that day.

Then in 1971, President Richard M. Nixon named Rehnquist to the U.S. Supreme Court just two years after he had appointed Rehnquist assistant attorney general.

In the 1971 confirmation hearing, Rehnquist was questioned about the suspected harassment of Black voters in the Bethune district during the 1964 election and on pro-segregationist memos as a law clerk to Supreme Court Justice Robert Jackson. Rehnquist admitted directing ballot security programs but denied all claims against him and won his position on the Supreme Court.[21]

It would not be the last time Rehnquist was questioned on his thinly-veiled tendencies toward racism.

About 15 years later Manuel "Lito" Peña spotted a photo in the newspaper and recognized the man with whom he had quarreled in 1964; President Ronald Reagan's nominee to succeed Warren E. Burger as U.S. chief justice, William H. Rehnquist



William Rehnquist in 1972

The confirmation hearing was presided over by Strom Thurmond, a senator with his own checkered past on racial issues. Though Thurmond felt it "unnecessary to go into things gone into before," he relented and three men would testify on voting harassment by Rehnquist. One was Manuel "Lito" Peña.

A portion of his testimony:

"I was a volunteer party worker for the Democratic Party in the general election of November 3, 1964. My assignment was to cruise south Phoenix precincts and western Maricopa County precincts. I was provided an automobile with a telephone. And what I was to do is, whenever I got a call, if a problem existed at one of the precincts, I was to go there and try to resolve it. I was called to Butler precinct. All of this occurred in the morning of that day. I was called to Butler precinct and told to go check a problem; there was a hangup on voting.

And when I got there, there was a long line of people standing outside of the polling place, waiting to get in to vote. The line was four abreast. There had to be about 100 people waiting to get inside the polling place.

I went on into the polling place and asked the inspector what the hangup was. She told me that there was this fellow sitting at the end of the table, and he was sitting at the wrong place, was questioning everybody that came in, and slowing down the process. We had six machines inside of that Butler precinct, and only two of them were being utilized as a result of the slowdown of voting. I told the inspector that the proper thing to do would be to take the challenger and whoever he is challenging and move him to a corner of the building; let him ask all the questions that he wanted to; and allow the rest of the people to vote, instead of questioning the voter in line, holding up the other people from voting.

The fellow objected to this. And at that point I stepped in between him and

the people who were moving into the line, and I told him, you are in the wrong place as a challenger. You should be behind the inspector, and you should only challenge if you have a good cause to challenge.

He was asking everybody who came in what their name was, where they lived, how long have they lived there, that kind of thing. I told him that was not a legal way to challenge. And he said he wanted to make a telephone call, so I took him into the principal's office – Butler is a school – and he made his call.

I do not know who he called. But after talking to somebody for a few minutes, he told me that he was told that what he was doing was correct, and that he was going to continue to do it. And I told him that he was not going to do it because it was not the correct way to challenge. He could challenge if he wanted to if he did it in a correct manner.

At any rate, he insisted that he was going to do it again. He went back into the polling place. My job was to call back to headquarters and tell them what had occurred, and they would send somebody out to take care of the problem.

When I did that, I was given a message to go to another precinct and check another problem there. I returned to Butler precinct about 30 or 40 minutes later, and the line had diminished, people were voting. I went inside the polling place and asked the inspector what had happened.

And she said that somebody came in and had an argument with the challenger, physically removed him from the polling place, and had a conversation with him outside, and the fellow disappeared. And so we had kind of a peaceful election after that at that polling place.

Now, later – a few years later – I saw a picture in the paper of William Rehnquist. And I recognized him from that picture as the person who was doing the challenging inside the polling booth, inside the polling place, and who was impeding the traffic of voters into the booth.

And that is how I came to know that Mr. Rehnquist was involved."

After the statement, Lito was questioned briefly by Democratic Sen. Edward Kennedy of Massachusetts. Then he was questioned on the minutiae of his encounter by Republican Sen. Dennis DeConcini of Arizona, Democratic Sen. Howard Metzenbaum of Ohio and Republican Sen. Howell Heflin of Alabama.

Utah Sen. Orrin Hatch bluntly questioned him, "You did not know him from the man in the moon. Is what you are saying? Is that right?"

After Peña responded, "I do not know the man in the moon either," The two pretended they could not hear each other, and the sharp exchange was smoothed over.

After a televised grilling of Rehnquist by senators Kennedy, Joe Biden and others, the vote came in. William H. Rehnquist became the 15th chief justice – though the 65-33 vote marked the largest negative tally ever received by someone confirmed to be Chief Justice.[22]

First duty: grab a mop.

Tony Valenzuela has energy. And he's not afraid to speak his mind. His enthusiasm and drive have helped him become State Commander of the American Legion, and National Vice-Commander. One more step and he could have been the Legion's president.

But that would have meant too much traveling around the country.

Valenzuela has known of Post 41 since his college years in 1948. "I had uncles and cousins and everything else, who had been in the military, and they belonged to Post 41 at that time. So they used to bring me in here, even when I was not eligible to come here."

One uncle was Roy Yanez, the director of the Marcos de Niza Housing project.

But Valenzuela also remembers the division that took years to fade. As the founders of Post 41 watched new veterans from new wars return, the post became divided at times. "A lot of problems within ourselves. We've always (had) a certain resentment against each other. Like Lencho's World War II. Lencho didn't like me 'cause I was a Korean veteran. And Korean veterans didn't like guys from Vietnam." It's a clash that he regrets happened, and is thankful has faded with time. He also remembers clearly walking into Post 41 after returning from the Korean War.

"When I first came in here, they had just completed the Ronda Room. A guy says, 'Who are you?'

"I say, 'My name's Tony. I just got a discharge and I'd like to join Post 41.' I had on my uniform.

"And one of these guys said 'Well, why would you wanna do that?!'

"I said, 'Simple. I've been here before. I know what it's all about. Now I'm eligible, and I wanna join!'

"And I had stripes you know? I had a bunch of stripes – I was a staff sergeant. And I said, 'I think I can do something.'

"And they looked at them stripes and said, 'Well, *what* can you do?'

"Any thing! I'm capable. I can do any thing."

'You really wanna join post 41?'

"Yeah."

Suddenly one of the men put a mop in Tony's hand.

"What the hell you doin'? I wasn't in the Navy! I was in the Air Force. Can't you tell the difference?"

During the exchange, a man stood there watching and waiting – sizing up the younger veteran. It was Ray Martinez.

"Ray Martinez, loved him… loved him. He's standin' there lookin at me. Watchin me. I says 'well, what do you think?'

"He said 'Well…gotta start somewhere.'

"I say, 'Ok.' And I grabbed the mop and ... started mopping."

Later, the two men would become the best of friends.

PHOTO COURTESY OF AMERICAN LEGION POST 41

The members of Post 41 celebrate in the 1950s

Resources

1. The First Marine captured in Vietnam, by Donald L. Price, 2007
2. U.S. Department of Defense files
3. Interview with Rudy Lopez, by Pete R. Dimas at Post 41, Oct. 15, 2008
4. Interview: Univ. of Texas oral history project, by Christine Powers
5. Interview: Univ. of Texas oral history project, by Christine Powers
6. Newspaper clipping from Post 41 archives, *Arizona Republic* 1968
7. Interview with Manny Lugo, by Pete R. Dimas at Post 41, Oct. 15, 2008
8. Ibid
9. Interview with Rudy Lopez, by Pete R. Dimas at Post 41, Oct. 15, 2008
10. Interview with Manny Lugo, by Pete R. Dimas at Post 41, Oct. 15, 2008
11. Interview with Rudy Lopez, by Pete Dimas at Post 41, Oct. 15, 2008
12. *Arizona Days and Ways* magazine, Dec. 4, 1966
13. *New Times,* Feb. 6 1991, by Kathleen Stanton
14. *Arizona Republic,* June 13, 2005 "Alfredo Gutierrez," also *New Times* 1991
15. *Chicano!*, by Francisco Arturo Rosales, pg. 212
16. *New Times*, Feb. 6, 1991
17. *An Awakened Minority,* 2nd edition, by Manuel P. Servín, pg. 250
18. Bio, Peña, Manuel "Lito" E-392, ASU Chicano Archives
19. Bio, Peña, Manuel "Lito" E-392, ASU Chicano Archives
20. *New York Times*, Nov. 3, 1964, "Democrats Charge G.O.P. Poll Watch Today Will Harass the Negroes and the Poor"
21. *Las Cruces Sun-News*, Nov. 22, 1971, pg. 2
22. *Tucson Daily Citizen* Nov. 1, 1971, pg. 18, also *New York Times*, Oct. 30, 1964
25. Cabell Phillips, "G.O.P. Opens Drive to Prevent Fraud"